

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2005 Legislative Session

Legislative Day No. **1**

Bill No. **2** -2005

Introduced by: The Chairman at the request of the County Executive

AN ACT amending the zoning maps for Howard County; supplementing and amending the comprehensive amendment to the Zoning Regulations of Howard County, which include requirements related to Route 40 zoning, Route 1 zoning, senior housing zoning districts, permitted uses, accessory uses, temporary uses, nonconforming uses, conditional uses, design standards, density, lot size, building height limits, setbacks, supplementary regulations, rules of procedure before the Planning Board and creating a traditional neighborhood overlay district; and generally relating to zoning and land use in Howard County.

Introduced and read first time _____, 2005. Ordered posted and hearing scheduled.

By order _____
Sheila M. Tolliver, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2005.

By order _____
Sheila M. Tolliver, Administrator

This Bill was read the third time on _____, 2005 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this __day of _____, 2005 at __ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator

Approved by the County Executive _____, 2005

James N. Robey, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, Section 16.203 of the Howard County Code authorizes the County to
2 exercise the zoning authority of the County on a comprehensive basis through the enactment of
3 zoning regulations and district boundaries, which include requirements related to zoning districts,
4 permitted uses, accessory uses, temporary uses, nonconforming uses, conditional uses, design
5 standards, density, lot size, building height limits, setbacks, parking, outdoor lighting,
6 supplementary regulations, the Board of Appeals, as well as other requirements regarding land use
7 in the county; and

8
9 **WHEREAS**, in November of 2003 the Department of Planning and Zoning began the
10 process of preparing a comprehensive amendment of the Zoning Regulations and the Zoning
11 Maps (the “Comprehensive Zoning Plan”) and as part of that process conducted numerous public
12 meetings and worked with landowners, citizens, county and state agencies, the Planning Board,
13 the County Executive, and the County Council to prepare amended zoning maps and an
14 amendment that comprehensively updates the Zoning Regulations; and

15
16 **WHEREAS**, in February of 2003, the County Council adopted Bill No. 75-2003 which
17 adopted, with amendments, the Comprehensive Zoning Plan for Howard County, Maryland; and

18
19 **WHEREAS**, the Comprehensive Zoning Plan was effective on April 13, 2005 but did
20 not resolve several issues which were deferred to allow for additional study; and

21
22 **WHEREAS**, in May of 2004, the County Council adopted Bill No. 13-2004 which
23 allowed for the reconsideration of certain proposals for up to one year after the effective date of
24 the Comprehensive Zoning Plan; and

25
26 **WHEREAS**, the Department of Planning and Zoning has made recommendations
27 concerning those proposals deferred from the Comprehensive Zoning Plan (the “Proposed
28 Comprehensive Zoning Amendments”) to the Planning Board, which has held several public
29 hearings on the recommendations; and

30
31 **WHEREAS**, in addition to the public input received at the Planning Board and the
32 Department of Planning and Zoning’s public hearings and meetings, the County Council held

1 public hearings on the Proposed Comprehensive Zoning Amendments recommended by the
2 Department in order to receive the testimony and views of the citizens of the county; and
3

4 **WHEREAS**, the County Executive has transmitted to the County Council the final
5 recommendations of the Department of Planning and Zoning and requests that the Council
6 approve the proposed Comprehensive Zoning Amendments and zoning maps attached to this
7 Act.
8

9 **NOW, THEREFORE,**
10

11 ***Section 1. Be It Enacted*** by the County Council of Howard County, Maryland, that, in order to
12 *promote the health, safety, and general welfare of Howard County in accordance with its*
13 *authority under Title 16 of the Howard County Code, the zoning map amendments prepared by*
14 *the Department of Planning and Zoning and attached to this Act are:*

15 A. *Incorporated into and made a part of this Act; and*

16 B. *Approved and adopted as amendments to the Zoning Maps which were adopted with the*
17 *Comprehensive Zoning Plan pursuant to Bill No. 75-2003.*
18

19 ***Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland, ~~that~~
20 *that, in order to promote the health, safety, and general welfare of Howard County*
21 *in accordance with its authority under Title 16 of the Howard County Code, the*
22 *Proposed Comprehensive Zoning Amendments (text amendments) of Howard County prepared*
23 *by the Department of Planning and Zoning and attached to this Act are hereby:*

24 A. *Incorporated into and made a part of this Act; and*

25 B. *Approved and adopted as amendments to the Zoning Regulations of Howard County*
26 *which were adopted with the Comprehensive Zoning Plan pursuant to Bill No. 75-2003.*
27

28 ***Section 3. And Be It Further Enacted*** by the County Council of Howard County, Maryland, that
29 *the Department of Planning and Zoning is hereby authorized to make nonsubstantive corrections*
30 *to codification, capitalization, punctuation, grammar, and spelling of any part of the Zoning*
31 *Regulations of Howard County amended by this Act.*

1

2 ***Section 4. And Be It Further Enacted*** by the County Council of Howard County, Maryland, that
3 *this Act shall become effective 61 days after its enactment.*